

AO 440 (Rev. 05/00) Summons in a Civil Action

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS

SUMMONS IN A CIVIL CASE

Jeffrey Kraman

V.

THOMAS HOSKINSON, # 233, individually and as agent, servant or employee of the Mount Prospect Police Department, UNKNOWN MOUNT PROSPECT OFFICERS, MOUNT PROSPECT POLICE DEPARTMENT, a municipal corporation, LLOYD MILLER, individually and as agent, servant or employee of Mount Prospect Fire Department, UNKNOWN FIRE DEPARTMENT PERSONNEL, and MOUNT PROSPECT FIRE DEPARTMENT, a municipal corporation

CASE NUMBER: 2016 CV 4960

ASSIGNED JUDGE: Kennelly

DESIGNATED  
MAGISTRATE JUDGE: Schenkier

TO: (Name and address of Defendant)

Lloyd Miller  
c/o Everette Hill - Mount Prospect Village Attorney  
50 S. Emerson  
Mount Prospect, Illinois 60056

**YOU ARE HEREBY SUMMONED** and required to serve upon PLAINTIFF'S ATTORNEY (name and address)

Zane D. Smith & Associates, Ltd.  
415 N. LaSalle - Suite 501  
Chicago, Illinois 60654  
(312) 245-0031

an answer to the complaint which is herewith served upon you, 21 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.

THOMAS G. BRUTON, CLERK

*Nadine Shirley*

(By) DEPUTY CLERK



May 5, 2016

DATE

## AO 440 (Rev. 05/00) Summons in a Civil Action

RETURN OF SERVICE		
Service of the Summons and complaint was made by me <sup>(1)</sup>	DATE	
NAME OF SERVER (PRINT)	TITLE	
<i>Check one box below to indicate appropriate method of service</i>		
<input type="checkbox"/> Served personally upon the defendant. Place where served: _____ _____		
<input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left: _____		
<input type="checkbox"/> Returned unexecuted: _____ _____ _____		
<input type="checkbox"/> Other (specify): _____ _____ _____		
STATEMENT OF SERVICE FEES		
TRAVEL	SERVICES	TOTAL
DECLARATION OF SERVER		
<p>I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.</p> <p>Executed on _____ Date _____ Signature of Server _____</p> <p style="text-align: center;">_____ Address of Server</p>		

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.

## UNITED STATES DISTRICT COURT

for the  
Northern District of Illinois

Jeffrey Kraman

Plaintiff

v.

Thomas Hoskinson, et al.

Defendant

Civil Action No. 2016 CV 4960

## WAIVER OF THE SERVICE OF SUMMONS

To: Zane D. Smith &amp; Associates, Ltd.

(Name of the plaintiff's attorney or unrepresented plaintiff)

I have received your request to waive service of a summons in this action along with a copy of the complaint, two copies of this waiver form, and a prepaid means of returning one signed copy of the form to you.

I, or the entity I represent, agree to save the expense of serving a summons and complaint in this case.

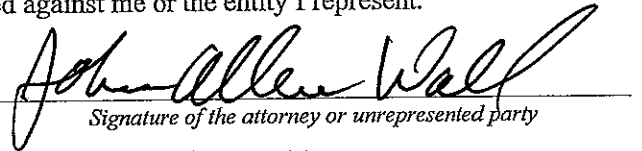
I understand that I, or the entity I represent, will keep all defenses or objections to the lawsuit, the court's jurisdiction, and the venue of the action, but that I waive any objections to the absence of a summons or of service.

I also understand that I, or the entity I represent, must file and serve an answer or a motion under Rule 12 within 60 days from 05/09/2016, the date when this request was sent (or 90 days if it was sent outside the United States). If I fail to do so, a default judgment will be entered against me or the entity I represent.

Date: May 26, 2016

Lloyd Miller

Printed name of party waiving service of summons



Signature of the attorney or unrepresented party

John Allen Wall

Printed name

20 N. Wacker Dr. Suite 1660  
Chicago, Illinois 60606

Address

jawall@ktjlaw.com

E-mail address

(312) 984-6450

Telephone number

## Duty to Avoid Unnecessary Expenses of Serving a Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain defendants to cooperate in saving unnecessary expenses of serving a summons and complaint. A defendant who is located in the United States and who fails to return a signed waiver of service requested by a plaintiff located in the United States will be required to pay the expenses of service, unless the defendant shows good cause for the failure.

"Good cause" does not include a belief that the lawsuit is groundless, or that it has been brought in an improper venue, or that the court has no jurisdiction over this matter or over the defendant or the defendant's property.

If the waiver is signed and returned, you can still make these and all other defenses and objections, but you cannot object to the absence of a summons or of service.

If you waive service, then you must, within the time specified on the waiver form, serve an answer or a motion under Rule 12 on the plaintiff and file a copy with the court. By signing and returning the waiver form, you are allowed more time to respond than if a summons had been served.